

Amendment No. 2 to SB2198

**Haynes
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2198

House Bill No. 2182*

by deleting all of the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 24, Part 3, is amended by adding the following new sections:

Section 13-24-304. A municipal, county or regional planning commission or any municipal or county legislative body, hereinafter referred to as an authority, that has adopted planning and zoning regulations may plan for and regulate the siting of wireless telecommunications support structures in accordance with locally adopted planning or zoning regulations and this chapter.

Section 13-24-305.

(a) In regulating the placement of a wireless telecommunications support structure, an authority may not:

(1) Regulate the placement of an antenna or related equipment for an existing wireless telecommunications support structure; provided, however, if the placement of an antenna on an existing wireless telecommunications support structure requires an extension, such placement may be regulated if such extension would require the wireless telecommunications support structure to have lighting or if such extension exceeds the height limitation of the authority. If a co-location occurs, such co-location may not be considered an expansion, and the appropriate authority may not impose additional costs or operating restrictions on the applicant for such co-location unless such support structure is owned by the authority; or

(2) Require the applicant to provide any sort of justification for radio frequency need; or

(3) Act to prohibit or have the effect of prohibiting the provision of personal wireless services.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.